

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, March 9, 2004, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: Supervisors: Smith, Silva, Campbell & Norby

EXCUSED: Chairman Wilson

PRESENT: COUNTY EXECUTIVE OFFICER James D. Ruth
COUNTY COUNSEL Benjamin P. de Mayo
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Supervisor Norby presented a resolution recognizing 25th Anniversary of Fullerton Arboretum

Supervisor Silva presented a resolution commending Sondra Nelson on her retirement

II. CONSENT CALENDAR (Items 1-39)

41235 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 10 WHICH WAS**
X **CONTINUED TO 3/30/04, 9:30 A.M.; AND ITEM 31 WHICH WAS PULLED FOR**
DISCUSSION AND SEPARATE VOTE

S U M M A R Y A C T I O N M I N U T E S

COMMENDATIONS/PROCLAMATIONS

Chairman Wilson:

1. Adopt resolution commending James F. Meade on his retirement
 RESO: 04-042
2. Adopt resolution commending Ken R. Smith on his retirement
 RESO: 04-043
3. Adopt resolution commending Sue Delarue for her retirement
 RESO: 04-044

Supervisor Campbell:

4. Adopt resolution commending William Ross on his retirement
 RESO: 04-045
5. Adopt resolution commending Glorious Lawrence on her retirement
 RESO: 04-046

HOUSING AND COMMUNITY SERVICES DEPARTMENT

6. Approve master agreement with Lutheran Social Services of Southern California for provision of senior companion services (\$13,837) - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

7. Approve license with Huntington Beach to establish a job center facility at former Huntington Beach transfer station, five year term with automatic one year extensions thereafter; and make California Environmental Quality Act findings - District 2
8. Approve amendment 4 to agreement with Burrtec Waste Industries, Inc., EDCO Disposal Corporation and County Sanitation District No. 2 of Los Angeles County for disposal of non-County waste changing submission of tonnage adjustment data to monthly basis - All Districts

JOHN WAYNE AIRPORT

9. Approve price agreement S1000000283 with MJE Marketing Services, LLC for professional services for design and production of annual report, 3/9/04 - 3/8/05 (\$33,375); renewable for two additional years (\$34,825 for second year; \$36,375 for third year); and make California Environmental Quality Act findings - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

10. Approve agreement D03-047 with Santa Ana for phase-out of annual reimbursement to City for Centennial Park - District 1 (Continued from 11/4/03, Item 18; 12/9/03, Item 15; 1/27/04, Item 16)

41235 **CONTINUED TO 3/30/04, 9:30 A.M.**

X

S U M M A R Y A C T I O N M I N U T E S

11. Adopt resolution initiating the 2004 Weed Abatement Program; set public hearing for 4/20/04, 9:30 a.m., to consider protests to assessments to private property for removal of weeds by County; and make appropriate findings - All Districts
RESO: 04-047
12. Approve plans and specifications and set bid opening for 4/7/04, 2:00 p.m., for replacement of master controlled lighting system, Manchester Office Building, Orange; and make California Environmental Quality Act findings - District 3
13. Receive bids and award contract to Big West Construction Corporation for ADA compliance improvements, Phase II, Harbor Justice Center (\$349,402) - District 2
14. Receive bids and award contract to Micon Construction, Inc. for ADA playground equipment replacement, Clark Regional Park (\$170,965) - District 4
15. Relieve low bidder Cohen Construction, Inc. from obligation; receive bids and award contract to J. Kim Electric Company for replacement of controlled lighting system, Hall of Administration (\$85,460) - District 1
16. Approve easement deed and agreement with Laguna Niguel to operate and maintain a natural water treatment wetland, Laguna Niguel Regional Park; and make California Environmental Quality Act findings - District 5 (4/5 vote)
17. Approve delegation of authority to RDMD Director or designee for matters concerning Dana Point Harbor to file and represent the County in small claims actions and to take all actions necessary to file boat liens and conduct sales/disposal - District 5
18. Approve agreement D03-072 with Southern California Edison Company for compensation of costs required for widening and realignment of Laguna Canyon Road; and make California Environmental Quality Act findings - District 5
19. Declare bid of PALP, Inc. dba Excel Paving Company as non-responsive; receive bids and award contract to All American Asphalt for asphalt overlay resurfacing of El Toro Road from Glenn Ranch Road to Ridgeline Road (\$285,910.10) - Districts 3 & 5
20. Receive bids and award contract to Kincaid Enterprises, Inc. dba American Electric Company for replacement of 4160-volt electrical feeders, Hall of Finance and Records, Santa Ana (\$130,605) - District 1
21. Approve plans and specifications and set bid opening for 4/14/04, 2:00 p.m., for replacement of Phase 1 Chiller, North Justice Center, Fullerton - District 4
22. Receive bids and award contract to WCM and Associates, Inc. for replacement of air handler #1, West Justice Center, Westminster (\$136,800) - District 1
23. Adopt resolution approving submittal of grant application to State Water Resources Control Board for Clean Beaches Program grant funds, Dana Point Harbor Baby Beach (\$380,000); and authorize Director or designee to execute grant agreement, amendments and related documents - District 5
RESO: 04-048

S U M M A R Y A C T I O N M I N U T E S

24. Adopt resolution authorizing submission of grant application to CALTRANS for Safe Routes to School Program funds - Districts 1, 2, 3 and 5
RESO: 04-049
25. Accept work with FEI Enterprises Inc. for fire alarm system upgrade at various County facilities, project completed 1/31/04 (\$608,223.14) - District 1
26. Declare bid of Hardy and Harper, Inc. to be non-responsive; receive bids and award contract to All American Asphalt for asphalt resurfacing of Magnolia Avenue, Stanton (\$169,325.10) - District 2
27. Receive bids and award contract to Portsmouth Construction Company, Inc. for reconstruction of sidewalk, Rossmoor area (\$91,619.43) - District 2
28. Adopt resolution certifying completion of street improvements and street lights; authorizing release of security; and accepting public street improvements, Tract 16120, W. L. Homes DBA John Laing Homes, Ladera Ranch area - District 5
RESO: 04-050
29. Adopt resolution certifying completion of street improvements and street lights; authorizing release of security; and accepting public street improvements, Tract 16122, W. L. Homes, DBA John Laing Homes, Ladera Ranch area - District 5
RESO: 04-051
30. Approve price agreement N1000005680 with SimplexGrinnell for maintenance and repair of fire alarm systems, RDMD/Headquarters and Sheriff/Forensic Science Headquarters, 3/15/04 - 3/14/05 (\$37,331); renewable for four additional years; and make California Environmental Quality Act findings - District 1

Acting as the Orange County Flood Control District:

31. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) regarding sediment removal from San Diego Creek; set review to determine continuing need for emergency action on 3/23/04, 9:30 a.m., and every 14 days thereafter - Districts 1, 2 and 3 (*4/5 vote*) (Continued from 12/16/03, Item 64; 1/6/04, Item 5; 1/13/04, Item 25; 1/27/04, Item 31; 2/10/04, Item 11; 2/24/04, Item 27)

31245
X

APPROVED AS RECOMMENDED

32. Approve agreement D03-004 with Steinberg & Associates for technical assistance and support for matters relating to Santa Ana River Mainstem Project (\$150,000) - All Districts

SOCIAL SERVICES AGENCY

33. Select Goodwill Industries of Orange County as primary and LIFESIGNS, Inc. as alternate firms for sign language interpretation services, 7/1/04 - 6/30/05; and authorize negotiation of agreement for Board approval - All Districts

S U M M A R Y A C T I O N M I N U T E S

PUBLIC PROTECTION

Sheriff-Coroner:

- 34. Approve termination of emergency action originally approved on 2/24/04, for cleaning of pipe chases to abate mold and dust determined to be health hazards, Central Men's Jail and Intake Release Center - District 1 (*4/5 vote*) (Continued from 2/24/04, Item 64)
- 35. Approve extension of price agreement N3000003975 with Data Ticket, Inc. for processing and management of parking citations, 4/1/04 - 3/31/05 (\$54,500) - All Districts
- 36. Adopt resolution approving revised Orange County Operational Area Emergency Plan - All Districts
RESO: 04-052
- 37. Approve price agreement N1000005711 with Intratek Computer, Inc. for maintenance of Cisco computer equipment, 3/9/04 - 3/8/05 (\$86,114); renewable for two additional years - All Districts

GENERAL ADMINISTRATION

- 38. **County Counsel** - Approve professional services agreement with Anderson, Kill & Olick to represent the County, Assessor and Treasurer-Tax Collector in Illinois in the case In re Kmart Corporation v. Anchorage Alaska Municipal Tax Assessor, et al, effective 2/25/04 - All Districts (*4/5 vote*)
- 39. **County Executive Office** - Adopt resolution for continuance for military supplemental pay and benefits through 9/11/04, unless terminated earlier by Board of Supervisors - All Districts
RESO: 04-053

END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 40-55)

HEALTH CARE AGENCY

40. Approve amended agreement with Mariposa Women's Center, Inc. for Alcohol and Drug Abuse Prevention and Behavioral Health Outpatient services, 7/1/03 - 6/30/04 (\$114,375; new total \$821,550) - All Districts

13245 **APPROVED AS RECOMMENDED**
X

41. Approve amended lease with FKC, LLC for office space for Outpatient Children's Mental Health services, Placentia; extending term five years; and make California Environmental Quality Act findings - District 4

41235 **APPROVED AS RECOMMENDED**
X

42. Receive oral update on the status of implementation of Integrated Records Information System - All Districts (Continued from 2/24/04, Item S69A)

B.O. **ORAL UPDATE RECEIVED**

HOUSING AND COMMUNITY SERVICES DEPARTMENT

43. Approve amended standard agreement CB-0304-22 with State Department of Aging for community based services programs (\$41,776; new total \$655,622) - All Districts

13245 **APPROVED AS RECOMMENDED**
X

44. Approve amended standard agreement TV-0304-22 with State Department of Aging for Title V Senior Community Services Employment Program (\$26,958; new total \$854,973) - All Districts

34125 **APPROVED AS RECOMMENDED**
X

45. Approve agreement with Secure Transportation Company, Inc. for implementation and administration of Fixed-Price Per Trip Senior Non-Emergency Medical Transportation Program, 3/1/04 - 2/29/05 (\$700,000); and direct staff to provide Board with status report six months from start of program - All Districts (Continued from 2/24/04, Item 50)

B.O. **CONTINUED TO 3/16/04, 9:30 A.M.**

JOHN WAYNE AIRPORT

46. Declare emergency and make appropriate findings pursuant to Public Contract Code Section 22050 and award emergency contract to Turner Construction Company for Phase II structural security modifications (\$4,000,000); set review to determine continuing need for emergency action for 3/23/04, 9:30 a.m. and every 14 days thereafter; and make California Environmental Quality Act findings - District 2 (4/5 vote)

21345 **APPROVED AS RECOMMENDED**
X

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RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

47. Receive bids and award contract to FTR International, Inc. for expansion and remodel of Orange County Public Law Library, Santa Ana (\$8,598,000) - District 1
13245 **APPROVED AS RECOMMENDED**
X
48. Receive bids and award contract to R.J. Daum Construction Company for replacement of existing housing units D, E and F, Probation/Juvenile Hall Youth Leadership Academy (\$15,401,196) - District 3
32145 **APPROVED AS RECOMMENDED**
X
49. Waive irregularity of bond; receive bids and award contract to PALP, Inc. dba Excel Paving Company for widening of Moulton Parkway from Laguna Hills Drive to Elm Creek Lane (\$494,885) - District 5
21345 **APPROVED AS RECOMMENDED**
X
50. Approve amended agreement D01-106 with RBF Consulting for extension of Alton Parkway between Irvine Boulevard and Commercentre Drive, extending term one year; and make California Environmental Quality Act findings - Districts 3 & 5
32145 **APPROVED AS RECOMMENDED**
X

SOCIAL SERVICES AGENCY

51. Approve price agreement N1000005689 with Intratek Computer, Inc. for information technology professional services, 4/1/04 - 3/31/05 (\$480,418); renewable for one and a half additional years (\$480,418 for first year; \$240,210 for six months) - All Districts
31245 **APPROVED AS AMENDED TO REQUIRE ANNUAL RENEWALS RETURN TO THE BOARD FOR FINAL APPROVAL**
X

PUBLIC PROTECTION

52. **Probation** - Approve purchase order PC 057 P0400005195 with Motorola for purchase of unbudgeted repeater for 800 MHz radio communications system (\$17,700) - District 5
24135 **APPROVED AS RECOMMENDED**
X
53. **Sheriff-Coroner** - Consider second reading and adoption of "An Ordinance of the County of Orange, California, Amending Division 6, Article 1 of Title V, Sections 5-6-1 to 5-6-4 to Authorize Voluntary Certification of Sober Living Facilities" - All Districts (Continued from 2/24/04, Item 61)
43125 **APPROVED AS RECOMMENDED**
X
ORD: 04-005

S U M M A R Y A C T I O N M I N U T E S

GENERAL ADMINISTRATION

County Executive Office:

- 54 . Receive and file 2004 Orange County Community Indicators Report - All Districts
13245 **RECEIVED AND FILED**
 X
- 55 . Approve recommended positions on introduced or amended legislation and consider other
 legislative subject matters
34125 **APPROVED AS AMENDED TO CHANGE POSITION ON AB1749 TO OPPOSE AND**
 X **SEEK AMENDMENTS**

IV. PUBLIC HEARINGS (Item 56)

PUBLIC PROTECTION

- 56 . **Sheriff-Coroner** - Public Hearing to consider adopting resolution authorizing Superior Court of
 California County of Orange to increase assessment from \$7 to \$15 for persons who fail to appear in
 court when required, or fail to comply with court orders pursuant to Penal Code Section 853.7a and
 Vehicle Code Section 40508.5, effective 4/1/04; and rescinding Resolution 94-95 - All Districts
B.O. **CLOSED PUBLIC HEARING**
 RESO: 04-054
- 13245 **APPROVED AS RECOMMENDED**
 X

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

- CS-1 . **County Counsel** - Closed Session CONFERENCE WITH LEGAL COUNSEL - INITIATION OF
 LITIGATION - Pursuant to Government Code Section 54956.9(c):
 Number of Cases: One Case
- B.O. **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, SUPERVISOR**
 WILSON BEING ABSENT, AUTHORIZED COUNTY COUNSEL TO FILE AN ACTION.
 THE IDENTITY OF THE PARTIES AND OTHER PARTICULARS WILL BE DISCLOSED
 TO ANY PERSON UPON INQUIRY ONCE THE ACTION IS FILED.

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Darrell Nolte - Oral Re: Election experience as poll worker

BOARD COMMENTS:

Supervisors Campbell, Silva & Norby - Oral Re: March 2, 2004 election process and upcoming poll worker appreciation day

Supervisor Silva - Oral Re: Directed staff to provide Board with recap on Employee Health Benefits contracts, when they last went out for RFP and the timeframe and cost to go out for RFP

S U M M A R Y A C T I O N M I N U T E S

ADJOURNED: 11:41 A.M.

23145 Adjourned in memory of Bob Dinsen
X

24135 Adjourned in memory of Barbara Benson
X

21345 Adjourned in memory of Edgar D. Allan
X

21345 Adjourned in memory of Carol Irene Hatch
X

21345 Adjourned in memory of Lt. Danny Jarvis
X

*** KEY ***

Left Margin Notes

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

Right Margin Notes

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order
- O. = Ordinance
- R. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

JAMES W. SILVA, VICE CHAIR
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board